

REGARDING THE TRAGEDY AT
THE TEXAS AGGIE BONFIRE OF
TEXAS A&M UNIVERSITY

HON. JOE BARTON

OF TEXAS

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. BARTON of Texas. Mr. Speaker, I speak today with great sadness about a tragedy which happened early this morning at Texas A&M University. A great tradition that all Aggies hold very dear—Texas Aggie Bonfire—collapsed, killing at least six people and injuring as many as 25. My thoughts and prayers are with the parents who lost children, and the students who lost friends. Texas A&M is a family, and today the Aggie Family is in shock, grieving for our dead and injured students.

For those of you who have not ever heard of Texas A&M Bonfire, it is one of the most cherished Aggie traditions. Traditions are very important at Texas A&M. The bonfire tradition revolves around building and burning the world's largest bonfire. In past years, it has soared over 100 feet high and burned all night. This year's bonfire was scheduled to be over 60 feet high and burn until after midnight.

Aggie Bonfire has been a tradition at Texas A&M since 1909 when they used it to stay warm during the "Yell Practice" on the night before the annual A&M-Texas football game. The bonfire represents everything Aggies are about: hard work, unity, dedication, and loyalty. It also represents a burning desire for A&M to defeat the Longhorn football team.

Several thousand members of the student body contribute in one way or another to building bonfire. When I was a freshman at Texas A&M, I participated in Bonfire by going out to "cut". The "cut" area is selected a few months before the football game against t.u. Areas are selected that need to be cleared for construction and then the work begins. The entire bonfire is built the "Aggie" way. Trees are cut down by hand, they are lifted and carried out of the woods on shoulders, they are loaded onto trucks by hand, unloaded by hand, stacked by hand and wired into stack by hand. In my sophomore year, I was "promoted" to the stack area and helped erect the actual bonfire.

It is often said that if other schools had a tradition like this they would probably contract it out to the lowest bidder and then all show up just to watch it burn, but not the Aggies. Not only do we do it all ourselves but we do it the hard way. The building of bonfire builds character. The hard work and sacrifice of time teaches a good work ethic that is not soon forgotten.

What does it mean to be a Texas Aggie? A&M is a special place. Values are taught both in the classroom and out of the classroom. Aggies live our traditions and cherish them, and pass them onto their children. I have three children, two have graduated from A&M and my youngest daughter will enter A&M next Fall. In spite of the tragedy that has occurred, it is my hope that Bonfire continues in the great spirit in which it embodies, and that my daughter Kristin will help build it in years to come.

TEAR DOWN THE USTI WALL;
DROP THE CHARGES AGAINST
ONDREJ GINA

HON. CHRISTOPHER H. SMITH

OF NEW JERSEY

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. SMITH of New Jersey. Mr. Speaker, in recent weeks, we have seen a number of historic dates come and go, with appropriate commemoration. November 9, for example, marked the tenth anniversary since the fall of the Berlin Wall. Yesterday, November 17, is recognized as the commencement of the Velvet Revolution which unleashed the forces of democracy against the totalitarian regime in Czechoslovakia. To mark that occasion, George Bush, Margaret Thatcher, Mikhail Gorbachev and other former leaders from the day met with President Vaclav Havel in Prague.

Beyond the symbolism of those dates, they have had other meaning. Many of us had hoped that the wall in Usti nad Labem, Czech Republic—a symbol of racism—would be brought down on the anniversary of the fall of the Berlin Wall. Regrettably, November 9, came and went, and the Usti Wall still stood.

We had hoped that the Usti Wall would come down on November 17. Some Czech officials even hinted this would be the case. Regrettably, November 17 has come and gone, and the Usti Wall still stands.

Now, I understand some say the Usti Wall should come down before the European Union summit in Helsinki—scheduled for December 6. Mr. Speaker, the Usti Wall should never have been built, and it should come down now, today. As President Reagan exhorted Mr. Gorbachev more than ten years ago, so I will call on Czech leaders today:

Tear down the Usti Wall.

Last fall, a delegation from the Council of Europe visited Usti nad Labem. Afterwards, the Chairwoman of the Council's Specialist Group on Roma, Josephine Verspaget, held a press conference in Prague when she called the plans to build the Usti Wall "a step towards apartheid." Subsequently, the United States delegation to the OSCE's annual human rights meeting in Warsaw publicly echoed those views.

Since the construction of the Usti Wall, this sentiment has been voiced, in even stronger terms, by Ondrej Gina, a well-known Romani activist in the Czech Republic. He is now being prosecuted by officials in his home town of Rokycany, who object to Gina's criticisms. The criminal charges against Mr. Gina include slander, assault on a public official, and incitement to racial hatred. In short, Mr. Gina is being persecuted because public officials in Rokycany do not like his controversial opinions. They object to Mr. Gina's also using the word "apartheid."

I can certainly understand that the word "apartheid" makes people feel uncomfortable. It is an ugly word describing an ugly practice. At the same time, if the offended officials want to increase their comfort level, it seems to me that tearing down the Usti Wall—not prosecuting Ondrej Gina—would be a more sensible way to achieve that goal. As it stands, Mr. Gina faces criminal charges because he exercised his freedom of expression. If he is convicted, he will become an international

cause célèbre. If he goes to jail under these charges, he will be a prisoner of conscience.

Mr. Speaker, it is not unusual for discussions of racial issues in the United States to become heated. These are important, complex, difficult issues, and people often feel passionate about them. But prosecuting people for their views on race relations cannot advance the dialogue we seek to have. With a view to that dialogue, as difficult as it may be, I hope officials in Rokycany will drop their efforts to prosecute Mr. Gina.

RESIDENTIAL LOAN SERVICING CLARIFICATION ACT

HON. EDWARD R. ROYCE

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

Thursday, November 18, 1999

Mr. ROYCE. Mr. Speaker, the legislation I am introducing today addresses a technical problem that residential loan servicers have encountered in complying with the federal Fair Debt Collection Practices Act ("FDCPA"). Creditors collecting their own debts are already exempt from the FDCPA, which is aimed at regulating the practices of independent debt collectors. When a residential loan servicer acquires a servicing portfolio, it is generally exempt from the FDCPA under the creditor exemption. However, a question arises when loans in a portfolio are delinquent at the time they are acquired, since the creditor exemption does not apply to debts that were "in default" at the time the servicer acquired them. This limitation to the creditor exemption has created considerable uncertainty in the mortgage servicing industry. In order to avoid possible liability, many loan servicers have been attempting to comply with the FDCPA by applying it to every loan, whether it was delinquent or not, when they acquired the servicing rights.

The disclosures required of debt collectors under the FDCPA, however, create particular difficulties for residential mortgage loan servicers. In addition to its substantive anti-abuse protections for the debtors, the FDCPA requires a debt collector to notify the borrower in the initial written or oral communication with the borrower that it is attempting to collect a debt and that any information obtained will be used for that purpose (the so-called "Miranda" warning), requires in each subsequent communication to indicate that the communication is from a debt collector, and requires that the debt collector provide a written debt validation notice within five days after the initial communication, which allows the borrower to dispute all or any portion of the debt within 30 days. The debt validation provisions also create additional complexity for servicing activities due to restrictions or making any "collection" efforts during the thirty day validation period. These informational requirements dictate that the loans subject to the FDCPA must get different communications from the servicer throughout their maturity, and thus require that the loans be identified and specially designated, creating additional costs without any additional protections or benefits provided to the borrowers.

Moreover, consumers are not well-served when the servicer feels compelled to make the FDCPA's disclosures. Residential mortgage